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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/551,181	04/17/2000	YAARIT SILVERSTONE	AND1P582	1182

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EXAMINER

LY, ANH

ART UNIT	PAPER NUMBER
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2172

DATE MAILED: 06/03/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/551,181

Applicant(s)

SILVERSTONE ET AL.

Examiner

Anh Ly

Art Unit

2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 April 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-18 are pending in this application.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 1-2, 5-6, 7-8, 11-12, 13-14 and 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,167,378 issued to Webber, Jr. (hereinafter Webber) in view of US Patent No. 5,946,618 issued to Agre et al. (hereinafter Agre).

With respect to claim 1, Webber discloses providing a database (abstract, col. 9, lines 12-67); and wherein the database further includes a request for proposal

mechanism (col. 7, lines 20-60 and col. 20, lines 16-65); identifying a particular service provider data structure based on a request for proposal from a user utilizing the request for proposal mechanism (col. 8, lines 30-61 and col. 9, lines 12-67); and affording project management services to the user based on the request for proposal and the identified service provider data structure (col. 3, lines 35-67, col. 14, lines 40-67 and col. 15, lines 1-44).

Webber does not explicitly indicate, "a plurality of service provider data structures, wherein each service provider data structure includes a description of a particular service provider."

However, Agre discloses a plurality of service provider data structures as claimed (abstract, col. 5, lines 15-67, col. 8, lines 30-61, col. 18, lines 64-67, col. 19, lines 1-67, see fig. 14, 15A thru 15D, col. 20, lines 1-67, col. 21, lines 1-67, col. 22, lines 1-40, col. 23, lines 48-60, col. 24, lines 64-67, col. 25, lines 1-8 and col. 26, lines 1-18) and a description of a particular service provider as claimed (col. 8, lines 30-61, col. 9, lines 44-57, col. 10, lines 36-67 and col. 11, lines 1-10).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Webber with the teachings of Agre so as to obtain a method for providing supply chain/workflow services in a contract manufacturing framework because the combination would provide a method having a step of contracts manufacturers for linking to corresponding contracts for the acquisition of goods or services so that the goods can be supplied (Webber, - col. 17,

lines 5-63) in the supply chain services in the contract manufacturing framework environment.

With respect to claims 2 and 5-6, Webber discloses a method for providing supply chain/workflow services in a contract-manufacturing framework as discussed in claim 1.

Webber does not explicitly indicate, "the step of tracking a status of manufacturing processes performed by the identified service provider; wherein the database is accessed utilizing a network and wherein the network is the Internet."

However, Agre discloses the step of tracking a status of manufacturing processes by identified service provider as claimed (col. 4, lines 49-61, col. 5, lines 32-67 and col. 18, lines 55-62; col. 8, lines 30-61 and col. 9, lines 44-57) and network and Internet (col. 11, lines 28-42).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Webber with the teachings of Agre so as to obtain a method for providing supply chain/workflow services in a contract manufacturing framework because the combination would provide a method having a step of contracts manufacturers for linking to corresponding contracts for the acquisition of goods or services so that the goods can be supplied (Webber, - col. 17, lines 5-63) in the supply chain services in the contract manufacturing framework environment.

Claim 7 is essentially the same as claim 1 except that it is directed to a computer readable medium rather than a method ('378 of abstract, col. 9, lines 12-67; col. 7, lines

20-60 and col. 20, lines 16-65; col. 8, lines 30-61 and col. 9, lines 12-67; col. 3, lines 35-67, col. 14, lines 40-67 and col. 15, lines 1-44; '618 of abstract, col. 5, lines 15-67, col. 8, lines 30-61, col. 18, lines 64-67, col. 19, lines 1-67, see fig. 14, 15A thru 15D, col. 20, lines 1-67, col. 21, lines 1-67, col. 22, lines 1-40, col. 23, lines 48-60, col. 24, lines 64-67, col. 25, lines 1-8 and col. 26, lines 1-18; col. 8, lines 30-61, col. 9, lines 44-57, col. 10, lines 36-67 and col. 11, lines 1-10), and is rejected for the same reason as applied to the claim 1 hereinabove.

Claim 8 is essentially the same as claim 2 except that it is directed to a computer readable medium rather than a method (col. 4, lines 49-61, col. 5, lines 32-67 and col. 18, lines 55-62; col. 8, lines 30-61 and col. 9, lines 44-57), and is rejected for the same reason as applied to the claim 2 hereinabove.

Claims 11-12 are essentially the same as claims 5-6 except that it is directed to a computer readable medium rather than a method (col. 11, lines 28-42), and is rejected for the same reason as applied to the claims 5-6 hereinabove.

Claim 13 is essentially the same as claim 1 except that it is directed to a system rather than a method ('378 of abstract, col. 9, lines 12-67; col. 7, lines 20-60 and col. 20, lines 16-65; col. 8, lines 30-61 and col. 9, lines 12-67; col. 3, lines 35-67, col. 14, lines 40-67 and col. 15, lines 1-44; '618 of abstract, col. 5, lines 15-67, col. 8, lines 30-61, col. 18, lines 64-67, col. 19, lines 1-67, see fig. 14, 15A thru 15D, col. 20, lines 1-67, col. 21, lines 1-67, col. 22, lines 1-40, col. 23, lines 48-60, col. 24, lines 64-67, col. 25, lines 1-8 and col. 26, lines 1-18; col. 8, lines 30-61, col. 9, lines 44-57, col. 10, lines 36-67 and

col. 11, lines 1-10), and is rejected for the same reason as applied to the claim 1 hereinabove.

Claim 14 is essentially the same as claim 2 except that it is directed to a system rather than a method (col. 4, lines 49-61, col. 5, lines 32-67 and col. 18, lines 55-62; col. 8, lines 30-61 and col. 9, lines 44-57), and is rejected for the same reason as applied to the claim 2 hereinabove.

Claims 17-18 are essentially the same as claims 5-6 except that it is directed to a system rather than a method (col. 11, lines 28-42), and is rejected for the same reason as applied to the claims 5-6 hereinabove.

5. Claims 3-4, 9-10 and 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,167,378 issued to Webber, Jr. (hereinafter Webber) in view of US Patent No. 5,946,618 issued to Agre et al. (hereinafter Agre) and further in view of US Patent No. 5,862,223 issued to Walker et al. (hereinafter Walker).

With respect to claims 3-4, Webber in view of Agre discloses a method for providing supply chain/workflow services in a contract-manufacturing framework as discussed in claim 1.

Webber in view of Agre does not explicitly indicate, "the step of allowing the user to inquiry service engineers and the step of allowing the user to inquiry service chemists."

However, Walker discloses engineering services and pharmaceutical services (col. 3, lines 32-67 and col. 4, lines 1-18 and col. 33, lines 21-65).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Webber with the teachings of Agre so as to obtain a method for providing supply chain/workflow services in a contract manufacturing framework because the combination would provide a method having a step of contracts manufacturers for linking to corresponding contracts for the acquisition of goods or services so that the goods can be supplied (Webber, - col. 17, lines 5-63) in the supply chain services in the contract manufacturing framework environment.

Claims 9-10 are essentially the same as claims 3-4 except that it is directed to a computer readable medium rather than a method (col. 3, lines 32-67 and col. 4, lines 1-18 and col. 33, lines 21-65), and is rejected for the same reason as applied to the claims 3-4 hereinabove.

Claims 15-16 are essentially the same as claims 3-4 except that it is directed to a system rather than a method (col. 3, lines 32-67 and col. 4, lines 1-18 and col. 33, lines 21-65), and is rejected for the same reason as applied to the claims 3-4 hereinabove.

Contact Information

6. Any inquiry concerning this communication should be directed to Anh Ly whose telephone number is (703) 306-4527. The examiner can be reached on Monday - Friday from 8:00 AM to 4:00 PM.

If attempts to reach the examiner are unsuccessful, see the examiner's supervisor, Kim Vu, can be reached on (703) 305-4393.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 746-7238 (after Final Communication)

or:

(703) 746-7239 (for formal communications intended for entry)


or:

(703) 746-7240 (for informal or draft communications, or Customer Service Center, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Fourth Floor (receptionist).

Inquiries of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

AL 


SHAHID AL ALAM
PATENT EXAMINER

May 30th, 2002.